

REMARKS

Claims 1-6, 8-15, and 17-22 are pending and stand rejected. In response, claims 1, 2, 5, and 14 are amended. Claims 1-6, 8-15, and 17-22 remain pending upon entry of this amendment.

Interview Summary

Applicants' representative and the Examiner conducted a telephonic interview on May 22, 2007 and discussed the § 101 and § 102 rejections. The Examiner suggested using the phrase "configured to" in place of "for" to address the § 102 rejection related to the alleged statement of intended use in claim 1. Applicants thank the Examiner for the interview and suggestions.

35 U.S.C. § 101 Rejections

Claims 5, 6, 8-15 and 17-22 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Specifically, the Examiner states that "the claimed subject matter provides for a final step of adjusting authorized database accesses" and "this produced result remains in the abstract and, thus, fails to achieve the required status of having real world value."

While Applicants dispute the Examiner's characterization of the claims as non-statutory, Applicants have amended the "adjusting" elements of independent claims 5 and 14 (and claim 1). The amended claims recite "adjusting authorized database accesses...by changing settings within a database access control module." Support for this amendment is found throughout the specification and specifically at page 13, lines 21-26. The access control module is described at page 6, lines 1-5.

The amended claims are statutory at least because they recite the manipulation of data representing physical objects or activities (e.g., changing settings within a database access

control module) and are limited to a practical application in the technological arts. The produced result (changed settings) is useful, concrete and tangible, and thus has real world value.

Accordingly, Applicants submit that claims 5, 6, 8-15 and 17-22 recite patentable subject matter.

Claims 5, 6, 8-15, and 17-22 also stand rejected because the claimed invention is allegedly inoperative and therefore lacks utility. The Examiner asserts that the final adjusting step appears to call for full authorization and full denial at the same time because it recites “to deny database access...on database tables and columns that were authorized but were not observed.” The Examiner states that this element implies that access is denied and authorized within the same step and suggests clarifying the claims to show that the denial and authorization are performed in separate steps, more specifically that the denial of access occurs in the future.

Applicants thank the Examiner for providing suggestions for overcoming this rejection. Applicants have amended the relevant claim elements to recite that the adjusting step denies future database access to parts of the database for which access was previously authorized. For example, amended claim 5 recites:

adjusting authorized database accesses taking into account results of the comparing step...to deny **future** database access to operations by certain users on database tables and columns that were **previously** authorized...

Applicants submit that this amendment addresses the Examiner’s concerns. Applicants have respectfully declined the Examiner’s suggestion to further amend the claims to show that the denial and authorization are performed in separate steps; the claims already recite a separate step directed to “discovering authorized accesses to the database.” Applicants respectfully submit that the amended claims are statutory.

35 U.S.C. § 102 Rejections

Claims 1-3 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mattsson (US Patent Application Publication 2003/0101355A1). Applicants respectfully traverse this rejection.

In the office action mailed August 23, 2006, the Examiner made a similar rejection of the claims in view of Mattsson. In the previous amendment, Applicants explained why Mattsson did not anticipate the claims. Now, the Examiner asserts that the use of the term “for” in claim 1 is merely a statement of intended use and does not limit the claim.

While Applicants dispute the Examiner’s interpretation of “for,” Applicants have amended claims 1 and 2 (and 14) to instead recite the phrase “configured to” as suggested by the Examiner. Thus, amended claim 1 now recites in relevant part:

coupled to the database discovery module and to the command monitoring module,
an analysis module **configured to** compare actual accesses with authorized
accesses and **configured to** adjust...

Applicants respectfully submit that the claim elements reciting “configured to” describe particular structures or characteristics, and thus do not suggest or make optional the limitations following the phrase.

Applicants submit that amended claims 1-3 are patentable over Mattsson for the reasons stated above and in the previous amendment.

35 U.S.C. § 103 Rejection

Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mattsson in view of Low et al. (“DIDAFIT: Detecting Intrusions in Databases through Fingerprinting Transactions”). Low discloses a database intrusion detection system that fingerprints SQL statements in order to detect illegitimate accesses but does not remedy the deficiencies of

Mattsson with respect to the independent claims. Therefore, Applicants respectfully submit that claim 4 is patentable over the cited references at least for incorporating the limitations of its base claim.

Applicants respectfully submit that the claims are patentable for the reasons described above. Accordingly, Applicants respectfully request that the Examiner allow the application and pass it to issue. The Examiner is invited to contact the undersigned to advance the prosecution of this case.

Respectfully submitted,
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